

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

| | | |
|---------------------------|----|----------------------|
| United States of America, | | |
| | | Case # 07 CR 123 |
| Plaintiff, | | |
| | v. | |
| Darin Bowie, | | Hon. Lynn S. Adelman |
| | | |
| Defendant. | | |

MOTION TO UNSEAL

Mr. Darin Bowie, by and through his counsel, hereby moves this court to unseal certain materials filed in connection with his prosecution in this case before this court, respectfully stating the following premises:

1. Mr. Darin Bowie is presently incarcerated in the federal institution in Forth Worth, Texas.
2. Counsel was appointed by the U.S. Court of Appeals for the Seventh Circuit to represent Mr. Bowie on appeal pursuant to the Criminal Justice Act on September 23, 2009.
3. Mr. Bowie has requested that counsel obtain the discovery materials provided to his trial counsel by the U.S. Attorney's office in connection with Mr. Bowie's prosecution in this case.
4. However, counsel has been informed that those discovery materials are presently under seal by order of this court.

5. Mr. Bowie has also requested that counsel provide him with a copy of his Presentence Investigation Report, which is likewise under seal per the common practice in the federal system.
6. In order for Mr. Bowie and his present counsel to evaluate the issues appropriate to raise in his direct appeal it is necessary for both Bowie and counsel to be able to review and inspect these sealed documents.
7. Bowie's appointed appellate counsel is not a member of the bar of this court and practices in Chicago, Illinois. For this reason, we ask that this court grant this motion without requiring counsel to appear in person before the court.

WHEREFORE, Mr. Darin Bowie, by and through his counsel, hereby moves this court to enter an order unsealing the documents referred to herein so that copies of the documents may be viewed by counsel and be transmitted to Mr. Bowie at the federal institution in Forth Worth, or wherever else he may reside at the time that this court rules.

Respectfully submitted,

/s/ Gabriel Benjamin Galloway
Appointed Counsel for Mr. Bowie

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CERTIFICATE OF SERVICE

The undersigned counsel certifies that on the date indicated on the above electronic file stamp, the foregoing document was served upon all counsel of record by means of this court's ECF system.

BY: /s/ Gabriel Benjamin Galloway
Appointed Counsel for Mr. Bowie

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